

HOUSE No. 2359

By Mr. Eldridge of Acton, petition of James B. Eldridge and others for legislation to further regulate property taxes of elderly persons. Revenue.

The Commonwealth of Massachusetts

PETITION OF:

James B. Eldridge	Cory Atkins
Douglas W. Petersen	James R. Miceli
Christine E. Canavan	Mark J. Carron
Bruce E. Tarr	Thomas J. O'Brien
Pamela P. Resor	

In the Year Two Thousand and Five.

AN ACT TO PROVIDE PROPERTY TAX RELIEF FOR SENIORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 59 of the General Laws, is hereby amended by
- 2 inserting after section 5J the following section:—
- 3 Section 5K. In any city or town which accepts the provisions of
- 4 this section, the real property of a person who has reached his
- 5 sixty-fifth birthday prior to the current taxable year, or if a person
- 6 owns the same jointly with his spouse, either of whom has
- 7 reached his sixty-fifth birthday prior to the current taxable year,
- 8 said person shall have the option to be taxed at the same amount
- 9 as he was taxed in the fiscal year immediately prior to reaching
- 10 his sixty-fifth birthday and for subsequent year thereafter, pro-
- 11 vided that the dwelling on said property is occupied by said
- 12 person as his domicile and provided further that such person or
- 13 persons had gross receipts from all sources of less than \$40,000 in
- 14 current taxable year.
- 15 In computing the gross receipts of a person under this section
- 16 ordinary business expenses and losses may be deducted, but not
- 17 personal or family expenses and losses may be deducted, but not

18 personal or family expenses, and provided, further, that there shall
19 be deducted from the total amount received by the applicant under
20 the federal social security or railroad retirement and from any
21 annuity, pension, or retirement plan established for employees of
22 the United States government of any city, town, county or special
23 district, included in such gross receipts, an amount equivalent to
24 the minimum payment then payable under federal social security
25 law, as determined by the commissioner of revenue, to a retired
26 worker seventy years of age or over, if the applicant is unmarried,
27 or to a retired worker and spouse both of whom are sixty-five
28 years of age or older. Any person who elects to be taxed under the
29 provisions of this section shall not be eligible for any abatement
30 or deferral of taxes under the provisions of clause Forty-first,
31 Forty-first A, Forty-first B or Forty-first C of section Five.